 GRANTED Office of Proceedings	DECISION ID NO.: <u>43274</u>
	DECIDED DATE: <u>8/13/13</u>
	SERVICE DATE: <u>8/13/13</u>
	APPROVED: <u>Rachel D. Campbell</u> Director
<input type="checkbox"/>	Docket No. FD 35752

GRAFTON & UPTON RAILROAD COMPANY
PETITION FOR DECLARATORY ORDER

234654
ENTERED
Office of Proceedings
August 9, 2013
Part of Public
Record

**PETITION OF THE MASSACHUSETTS
DEPARTMENT OF FIRE SERVICES AND THE MASSACHUSETTS DEPARTMENT
OF ENVIRONMENTAL PROTECTION FOR AN EXTENSION OF TIME**

The Massachusetts Department of Environmental Protection and the Massachusetts Department of Fire Services, pursuant to 49 C.F.R. § 1104.7(b), respectfully request an extension of time to file their replies to the Grafton & Upton Railroad Company's Petition for Declaratory Order from August 12, 2013 to August 23, 2013. In support of this Petition, the agencies state that they have not been parties to or directly involved in the litigation between Grafton & Upton Railroad Company and the Town of Grafton and that it has therefore taken time to evaluate carefully the issues presented by the Petition for Declaratory Order and how, if at all, those issues may implicate either or both of the agencies' interests. In addition, undersigned counsel for the Department of Fire Services is out of the office on a previously scheduled vacation until August 19th.

Undersigned counsel for the Department of Environmental Protection has conferred with counsel for the Grafton & Upton Railroad Company and he has courteously consented to this Petition for an Extension.

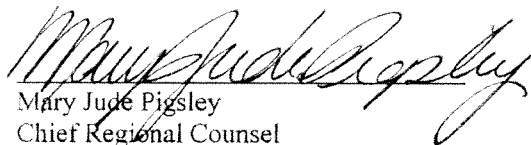
For the foregoing reasons, and for good cause shown, the Department of Environmental Protection and the Department of Fire Services respectfully request that the Board allow this

Petition for an Extension of Time and extend the time in which the agencies must serve replies
from August 12th up to and including August 23, 2013.

Respectfully submitted on this 9th day of August 2013,

MASSACHUSETTS DEPARTMENT OF
ENVIRONMENTAL PROTECTION

By:



Mary Jude Pigsley
Chief Regional Counsel
Department of Environmental Protection
627 Main Street
Worcester, MA 01608
(508) 767-2834
maryjude.pigsley@state.ma.us

MASSACHUSETTS DEPARTMENT OF FIRE
SERVICES

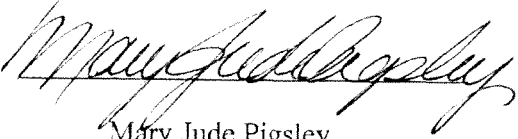
By:



Steven P. Rourke
General Counsel
Department of Fire Services
P.O. Box 1025 - State Road
Stow, MA 01775
(978) 567-3125
steven.rourke@state.ma.us

CERTIFICATE OF SERVICE

I certify that on August 9, 2013, I served a copy of the foregoing Petition for Extension of Time upon Grafton & Upton Railroad Company by e-mailing a copy to its counsel, James E. Howard, Esq. at jim@jehowardlaw.com, and upon the Town of Grafton by e-mail to its counsel, Ginny Sinkel Kremer at ginny@bbmatlaw.com.



Mary Jude Pigsley